

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18 (BUILDING AND BUILDING REGULATIONS) OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE I (IN GENERAL) AND ARTICLE II (BUILDING CODE) THEREOF, INCLUDING: SECTIONS 18-31 (ADOPTED) (AND ADOPTING THE INTERNATIONAL BUILDING CODE, AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION, INCLUDING CERTAIN APPENDICES THERETO), 18-56 (ATRIUM); 18-62 (ALTERNATIVE PROTECTION); 18-63 (AUTOMATIC FIRE-EXTINGUISHING SYSTEMS); 18-63.1 (NFPA-13 SPRINKLER SYSTEMS); 18-67 CORRIDOR CONSTRUCTION; 18-67.1 (SMOKEPROOF ENCLOSURES AND PRESSURIZED STAIRWAYS); 18-74 (DISPOSAL OF CONSTRUCTION WASTE); 18-75 (EXCAVATION, CONSTRUCTION OR DEMOLITION AT NIGHT PROHIBITED); 18-76 (STORMWATER RUNOFF); AND 18-79 (AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE); AND ADDING TO THE CODE OF ORDINANCES SECTION 18-67.3 (EMERGENCY ESCAPE AND RESCUE) AND SECTION 18-66 (ACCESSIBLE MEANS OF EGRESS); AND DELETING IN THEIR ENTIRETY FROM THE CODE OF ORDINANCES SECTIONS 18-57 (SEPARATION), 18-58 (TABLE 602); 18-63.1.1 (GROUP A-2), 18-63.5 (HIGH-RISE BUILDINGS), AND 18-67.2 (LUMINOUS EGRESS PATH MARKINGS); PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, among other things, this Ordinance continues in effect the provisions of chapter 9 of the International Building Code, 2006 Edition for the purposes of the application, interpretation, and/or enforcement of Section 18-429 of the Code of Ordinances (together with any other provisions of the International Building Code (including, without limitation, any appendices) that are deemed by the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 18-429), and the City Council hereby finds that the requirements included in and provisions of the said chapter 9 and other provisions of the International Building Code, 2006 Edition have been in effect prior to January 1, 2009, and that the continuation of those requirements and provisions by this

Ordinance is not and does not constitute the enactment of an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in a new or existing one- or two-family dwelling after January 1, 2009; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the “City”) is hereby amended by amending certain sections and provisions of Chapter 18 (Building and Building Regulations), Article II (Building Code) thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity

of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this ____ day of _____, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

EXHIBIT A
TO ORDINANCE NO. _____

Chapter 18, Buildings and Building Regulations, of the Code of Ordinances (the “Code”) of the Town of Addison, Texas is hereby amended in various sections of Article I (In General) and Article II (Building Code) thereof as set forth below and follows (additions are underlined; deletions are ~~struck through~~):

1. Section 18-31 of the Code is amended to read as follows:

Sec. 18-31. Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated herein, the International Building Code, 2012~~2009~~ Edition, the and the International Energy Conservation Code, 2012~~2009~~ Edition, (copies of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, is on file in the city secretary’s office), are hereby adopted as the building code of the city as fully as if copied at length in this article, but with the changes therein and additions thereto to provided in this article. Also, adopted are Appendices E, F, G, I and J of the 2009~~2006~~ Edition of the International Building Code.

Notwithstanding the adoption of the 2012~~2009~~ International Building Code, chapter 9 of the International Building Code, 2006 Edition (“2006 International Building Code”) is continued in full force and effect for the purpose of the application, interpretation, and/or enforcement of Section 18-429 of this Chapter, together with any other provisions of the 2006 International Building Code (including, without limitation, any appendices) that are deemed by the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 18-429. For purposes of the said Section 18-429, the reference to chapter 9 of the International Building Code means chapter 9 of the 2006 International Building Code. In the event of any conflict between the provisions of the 2006 International Building Code and the provisions of the International Residential Code, 2012 ~~2009~~ Edition, the provisions of the 2006 International Building Code shall control for purposes of (and only for purposes of) the application, interpretation, and/or enforcement of Section 18-429 of this Chapter and any other provisions of the 2006 International Building Code (including, without limitation, any appendices) that are deemed by the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 18-429.

2. Section 18-56 of the Code is amended to read as follows:

18-56. Atrium.

The International Building Code is amended by changing the definition of an atrium in

Section 202 ~~second paragraph of subsection 404.1.1~~ to read as follows:

ATRIUM. An opening connecting three or more stories other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is enclosed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505.

3. Section 18-57 of the Code of Ordinances is deleted in its entirety:

~~Sec. 18-57. Separation.~~

~~The International Building Code is amended by adding item 4. to subsection 406.1.2 as follows:~~

~~—4. A separation is not required between a Group R-2 and U carport provided that the carport is open on all sides and that the distance between the two is at least 10 feet (3048 mm).~~

4. Section 18-58 of the Code of Ordinances is deleted in its entirety:

~~Sec. 18-58. Table 602.~~

~~The International Building code is amended by changing footnote b in Table 602 to read as follows:~~

~~—b. For special requirements for Group U see section 406.1.2. Group R-3 and Group U when used as accessory to Group R-3, as applicable in 101.2 shall not be required to have a fire-resistive rating where fire separation distance is three feet or more. Group R-2 and Group U carport, as applicable in 406.1.4 exception 4 shall not be required to have a fire resistance rating where the fire separation is ten feet or more.~~

5. Section 18-62 of the Code is amended to read as follows:

Sec. 18-62. Alternative protection.

The International Building Code is amended by changing 903.1.1 to read as follows:

903.1.1 Alternative protection: Alternative automatic fire-extinguishing systems complying with Section 904 may be permitted as approved by the Fire ~~Prevention~~ Chief or the Fire Chief's designee only in addition to automatic fire sprinkler protection. In no case shall fire sprinkler protection be removed or omitted based on the presence of alternative-extinguishing systems.

6. Sec. 18-63 of the Code is amended to read as follows:

Sec. 18-63. Automatic fire-extinguishing systems.

The International Building Code is amended by changing subsection 903.2 to read as follows:

903.2 Sprinklers required. An approved automatic fire sprinkler system shall be installed as follows:

- (1) In all buildings of any area, size or occupancy built added to or moved into the Town of Addison after December 8, 1992. In the case of an addition to an existing structure or space an approved automatic fire sprinkler system shall be installed in the addition and the existing structure or space. Unless otherwise required in the code, the following exceptions apply:

Exception 1: Detached Group U occupancies that do not exceed 500 square feet in area and are located six feet from any other building.

Exception 2: Open parking garages of noncombustible construction that have no other types of occupancies located above the garage.

Exception 3: Existing, unsprinklered, single family detached dwellings which are added to for the purpose of increasing livable area.

Exception 4: Covered walkways or open canopies above fuel dispensing pumps, bus stops or other similar structures intended only for the temporary protection of persons from inclement weather but not including covered patios attached to buildings.

Exception 5: Group ~~S-1S-2~~ occupancies used only for the storage or parking of aircraft. (NOTE: Aircraft hangars are subject to the provisions of NFPA 409.)

- (2) In any existing building of any size, area or occupancy, remodeled or reconstructed after the effective date of this ordinance where the remodel or reconstruction involves greater than 50 % of the square footage of the structure or costs in excess of 50 % of the dollar value of the structure as assessed by the Dallas Central Appraisal District.
- (3) In the attic of any building REQUIRED to have a fire sprinkler system. Exception: Attics of single family residences on fee simple lots.
- (4) In the occupancies and location as set forth in this section.

For provisions on special hazards and hazardous materials, see the fire code.

7. Sec. 18-63.1 of the Code is amended to read as follows:

Sec. 18-63.1 NFPA 13 Sprinkler systems.

The International Building Code is amended by changing subsection 903.3.1.1 to read as follows:

903.3.1.1 NFPA-13 sprinkler systems. Where the provisions of this ordinance require that a building or portion thereof be equipped with an automatic fire sprinkler system, sprinklers shall be installed in accordance with the appropriate version of NFPA-13 with any such additions or modifications as may be required by the Fire Prevention Chief or the Fire Chief's designee.

8. Section 18-63.1.1, Group A-2, of the Code of Ordinances is deleted in its entirety:

~~Sec. 18-63.1.1. Group A-2.~~

~~The International Building Code is amended by changing section 903.2.1.2 1. to read as follows:~~

~~1. The fire area exceeds 1500 square feet.~~

9. Section 18-63.5, High-rise buildings, of the Code of Ordinances is deleted in its entirety:

~~Sec. 18-63.5 High-rise buildings.~~

~~—The International building code is amended by changing 75 feet to read 55 feet and 22 860 mm to read 16 764 mm in section 907.2.13.~~

10. The Code of Ordinances is amended by adding Section 18-66 Accessible Means of Egress to read as follows:

Sec. 16-66 Accessible Means of Egress.

The International Building Code is amended by adding Exception 4. To Section 1007.1 to read as follows:

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.

11. The Code of Ordinances is amended by changing Section 18-67 Corridor Construction to read as follows:

Sec. 18-67. Corridor Construction.

The International Building Code is amended by adding exception ~~65~~ to subsection 1018.1 to read as follows:

65. Nonrated construction within a single tenant space in the following circumstances:

- (i) Smoke detectors are installed along the path of travel per manufacturer's instructions, but in no case more than sixty (60) feet.
- (ii) The actuation of the smoke detectors provides an alarm audible within the space.
- (iii) The smoke alarms are connected to the building's fire alarm system where a system is provided.

12. The Code of Ordinances is amended by changing Section 18-67.1. to read as follows:

Sec. 18-67.1. Smokeproof enclosures and pressurized stairways.

The International Building Code is amended by changing 75 feet to read 55 feet and 22,860 mm to read 16,674 mm in section ~~403.5.41022.9~~.

13. Section 18-67.2, Luminous egress path markings, of the Code of Ordinances is deleted in its entirety:

~~Sec.18-67.2 Luminous egress path markings.~~

~~The International Building Code is amended by changing 75 feet to read 55 feet and 22,860 mm to read 16,674 mm in section 1024.1.~~

14. The Code of Ordinances is amended by adding Section 18-67.3 to read as follows;

Sec. 18-67.3. Emergency escape and rescue.

The International Building Code is amended by changing Section 1029.1 General in part to read as follows:

1029.1 General. In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue openings in Group R and I-1 occupancies. {Remainder of paragraph unchanged}

Exceptions: {Exceptions 1 through 3 unchanged; a new Exception 4 is added to Section 1039.1 to read as follows:}

4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

15. The Code of Ordinances is amended by changing Section 18-74 to read as follows:

Sec. 18-74. Disposal of construction waste.

The International Building Code is amended by adding Section ~~3314.3313~~ to read as follows:

Section 3314~~3313~~. Disposal of construction waste.

3314.1~~3313~~.. General requirements.

- (1) Each holder of permit under this code shall be required to provide a refuse container for disposal of waste and rubbish upon construction sites. The size of such container shall be approved by the building official and shall be sufficiently large to hold the rubbish and waste in such manner that it will not blow out or spill over. The location of such refuse container shall be approved by the building official.
- (2) If the proposed improvement for which the permit has been issued is less than five thousand dollar (\$5,000.00), the building official may, in his sole discretion, waive the requirement of a refuse container if he deems it not necessary and other means of disposal have been approved by him.
- (3) In this section:
 - a. Waste means garbage and other decayable, nondecayable, used up, broken, rejected or worthless materials.
 - b. Rubbish means trash, debris, rubble, stone, useless fragments of building materials and other miscellaneous useless wastes or rejected matter.
 - c. Public right-of-way means the entire width between property lines of road, streets, ways, thoroughfares, bridges or parks in this city, not privately owned or controlled, if any part of the road, street, way, thoroughfare, bridge or park is opened to the public for vehicular traffic.
- (4) Upon determination by the building official that a permit holder has failed to maintain or use an approved refuse container, in violation of the provisions of this ordinance, an order to correct the offending condition will be issued to the permit holder. Such order shall be telephoned to the permit holder and confirmed by mailing a copy of the order by certified mail, return receipt requested. The order shall specifically describe the offending condition and suggest actions necessary to correct the condition. Failure to properly correct the offending condition within three (3) days (excluding Saturdays, Sundays, and legal holidays) after the mailing date of the order shall subject the permit holder to the issuance of a citation.
- (5) In addition to the enforcement procedures provided in this ordinance, it shall be within the power and discretion of the building official to suspend or revoke the permit for violation of any provision of this ordinance. Suspension or revocation

shall be mandatory for the third offense under this ordinance.

16. Section 18-75 of the Code is amended to read as follows:

Sec. 18-75. Excavation, construction or demolition at night prohibited.

The International Building Code is amended by adding Section ~~3315~~~~3314~~ to read as follows:

Section ~~3315~~~~3314~~. Excavation, construction or demolition at night prohibited.

~~3315.1~~~~3314.1~~. General requirements.

(1) *Intent and purpose.* The City Council of the Town of Addison finds and declares that:

- (a) The uncontrolled excavation, erection, construction or demolition at night upon buildings or structures presents an inconvenience or danger to the welfare and safety of those persons residing within or near the buildings or structures worked upon.
- (b) Such nocturnal activity causes inconvenience or danger to those persons residing within or near the buildings or structures worked upon so as to constitute a public nuisance.
- (c) It is a matter of public necessity that the Town of Addison protect those persons residing within or near the buildings or structures worked upon from the danger posed by such nocturnal activity.
- (d) The provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the morals and general welfare of persons in the Town of Addison.
- (e) There is an immediate and present danger presented by the above described uncontrolled nocturnal activity, creating an emergency.

(2) *Unlawful activity.* It shall be unlawful for a person, firm or corporation to excavate, erect, build, construct, alter, repair or demolish any building or structure which has been issued or which is required to be issued a building permit by the Town of Addison between the hours of 7:00 P.M. and 7:00 A.M. Monday through Friday, and between the hours of 7:00 P.M. and 8:00 A.M. on Saturday and Sunday, if such activity is performed within a residential, apartment or townhouse zoned area, or within three hundred (300) feet of an occupied residence, except in cases of urgent necessity or in the interest of public safety and convenience, and then only by permission of the city manager.

(3) *Exception.* The provisions of this section shall not apply to the city and utility companies when engaged in the installation or repair of utility lines situated within such

buildings or structures.

(4) *Posting of sign.* The owner of the property upon which activity is carried on or the general contractor shall be responsible for the posting of a sign in a clearly visible area at all entrances to construction sites that will state the hours during which construction is allowed.

17. Section 18-76 of the Code is amended to read as follows;

Sec. 18-76. Storm water runoff.

The International Building Code is amended by adding Section ~~33163345~~ to read as follows:

Section ~~33163345~~. Storm water runoff.

~~3316.13345.1~~. General requirements. It shall be unlawful for any person on any construction site to allow excessive storm water runoff to be discharged directly into any public street, alley or private street so as to create a nuisance. Should surface runoff be declared a nuisance by the city, the owner, builder and/or developer of the site may be required to construct dikes or dams on site to form detention areas such that storm water may be temporarily detained until such storm abates at which point the trapped water may be slowly released. It shall be the responsibility of the owner, builder and/or developer at a construction site to remove any dirt or mud deposit on adjacent public streets, alleys or private streets as a result of storm water runoff.

18. Section 18-79 of the Code is amended to read as follows:

Sec.18-79. Amendments to the International Energy Conservation Code.

The International Energy Conservation Code is amended to read as follows:

Section C101.4.2 and R101.4.2; change to read as follows:

C101.4.2/R101.4.2 Historic Buildings. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer of the Keeper of the National Register of Historic Places, shall comply with all of the provisions of this code.

Exception: Whenever a provision or provisions shall invalidate or jeopardize the historical designation or listing, that provision or provisions may be exempted.

Section C102/R102; add Section C102.1.2 and R102.1.2 to read as follows:

C102.1.2/R102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

Section C202 and R202; add the following definition:

GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area, the glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

Section R402.2.2; amend the section to read as follows:

R402.2.2 Ceilings without attic spaces. Where Section R402.1.1 would require insulation levels above R-30 and the design of the roof/ceiling assembly does not allow sufficient space for the required insulation, the minimum required insulation for such roof/ceiling assemblies shall be R-30. This reduction of insulation from the requirements of Section R402.1.1 shall be limited to 500 square feet (46 m²). This reduction shall not apply to the U -factor alternative approach in Section R402.1.3 and the total UA alternative in Section R402.1.4.

R402.4.1.2 Testing; Add a last paragraph to read as follows:

Testing may only be performed by individuals that are certified HERS Raters or Rating Field Inspectors by RESNET or Performance Verification Technicians certified by Texas HERO, or other certifications as may be approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

R403.2.2 Sealing (Mandatory); Add a last paragraph to read as follows:

Testing may only be performed by individuals that are certified HERS Raters or Rating Field Inspectors by RESNET or Performance Verification Technicians certified by Texas HERO, or other certifications as may be approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that installed the duct system.

Section R403.2.3; Amend to read as follows:

R403.2.3 Building cavities (Mandatory). Building framing cavities shall not be used as supply ducts. Building framing wall cavities in the exterior thermal envelope shall not be used as return ducts.

Section C402.2.9/R402.2; Add Section C402.2.9 and R402.2.13 to read as follows:

Section C402.2.9/R402.2 Insulation installed in walls. To insure that insulation remains in place, insulation batts installed in walls shall be totally secured by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the building official.

R405.6.2; add the following sentence to the end of paragraph:

Acceptable performance software simulation tools may include, but are not limited to, REM RateTM, Energy Gauge and IC3. Other performance software programs accredited by RESNET BESTEST and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.

Amend Section 101.4.2 Historic Buildings to read as follows:

~~101.4.2 Historic Buildings. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, shall comply with all the provisions of this code.~~

~~Exception: Whenever a provision or provisions shall invalidate or jeopardize the historical designation or listing, that provision or provisions may be exempted.~~

Amend Section 103.1.1 Above code programs to read as follows:

~~103.1.1 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.~~

Amend SECTION 202 GENERAL DEFINITIONS by adding the following definition:

~~GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose the conditioned space. Glazing area includes the area of the glazed fenestration assemblies in walls bounding conditioned basements. For doors where daylight opening is less than 50 percent of the door area, that glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.~~

~~Amend Section 401.2 Compliance, Item #1 to read as follows:~~

~~1. Sections 402.1 through 402.3, 403.2.1 and 404.1 (prescriptive) and the use of Tables 402.1.1 and 402.1.3 are limited to a maximum glazing area of 15% window area to floor area or ratio; or~~

~~Amend Section 402 by adding Section 402.2.12 to read as follows:~~

~~402.2.12 Insulation installed in walls. Insulation installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.~~

~~Amend Section 405.4.1 by adding a sentence to the end of the paragraph to read as follows:~~

~~RemRateTM, Energy GaugeTM, and IC3 are deemed acceptable performance programs.~~